

REMARKS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 14-19 are pending; Claims 14, 17, and 19 are amended; and no claims are newly added or cancelled herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claim 19 was rejected under 35 U.S.C. § 101; Claims 14, 15, and 17 were rejected under 35 U.S.C. § 102(e) as anticipated by Kawakami (U.S. Pat. No. 6,236,663); Claims 17-19 were rejected under 35 U.S.C. § 102(e) as anticipated by Saeki et al. (U.S. Pat. No. 6,078,727, hereafter Saeki '727); Claims 16, 18, and 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kawakami; and Claims 14-16 were rejected under 35 U.S.C. § 103(a) as unpatentable over Saeki '727 in view of Saeki et al. (U.S. Pat. No. 6,067,400, hereafter Saeki '400).

At the outset, Applicants respectfully request acknowledgement of the Information Disclosure Statement filed June 16, 2003. A copy of the papers as filed, including a date-stamped filing receipt, is included herewith.

With regard to the rejection of Claim 19 under 35 U.S.C. § 101, that rejection is respectfully traversed. Claim 19, as amended, recites an information medium containing a data structure for recording broadcasted bitstream information, including service information, said bitstream information being configured to be recorded on the medium and to be reproduced from the medium using at least one of a recording apparatus and a reproducing apparatus. Accordingly, it is respectfully requested that this rejection be withdrawn.

Regarding the rejection of Claims 14, 15, and 17 under 35 U.S.C. § 102(e) as unpatentable over Kawakami, that rejection is also traversed. As a non-limiting example, independent Claims 14 and 17 relate to bitstream data processing apparatus having a

hierarchical structure of object data (SOB, as illustrated in Figure 2b) to be recorded in the data area, including at least one data unit (SOBU in Figure 2d, STREAMBLOCK in Figure 24e), which includes a plurality of pairs of time-stamped information (ATS, as illustrated in Figure 24b) and transport packets (illustrated in Figure 24b), said transport packets including contents of bitstream information. The management area (25) is configured to record information (SUPPORT INFO, as illustrated in Figure 9f) corresponding to the service information (as described in a non-limiting example in specification at page 13).

Kawakami relates to an information reproduction apparatus and information reproduction method. At page 3, the outstanding Office Action points to column 5, line 47 through column 6, line 23 of Kawakami as describing the at least one first data unit, at least one second data unit having the at least one first data unit and at least one third data unit having the at least one second data unit. However, Kawakami actually describes that the first-sub-area has sub-picture data and the second sub-area has control information.

Kawakami does not disclose or suggest object data to be recorded in the data area, including at least one data unit which includes a plurality of pairs of time stamped information and transport packets, the transport packets including contents of the bitstream information.

Accordingly, it is respectfully submitted that independent Claims 14 and 17 patentably distinguish over Kawakami, as Kawakami fails to disclose or suggest the stream objects recited in Claims 14 and 17. Likewise, it is respectfully submitted that dependent Claim 15 patentably distinguishes over Kawakami for the reasons above-noted with regard to Claim 14. It is therefore respectfully requested that this rejection be withdrawn.

With regard to the rejection of Claims 17-19 under 35 U.S.C. § 102(e) as anticipated by Saeki '727, that rejection is also traversed.

Claims 17 and 19 relate to object data to be recorded in the data area, including at least one data unit which includes a plurality of pairs of time stamped information and

transport packets, the transport packets including contents of the bitstream information. The management area is configured to record information corresponding to the surface information.

Saeki '727 relates to an optical disk, recording apparatus, and computer readable recording medium. The outstanding Office Action cites to Figure 10 of Saeki as illustrating the stream objects recited in Claims 17 and 19. However, Figure 10 of Saeki '727 shows the data structure of the AV file (VOB). As illustrated in Figure 10, each VOB is composed of a plurality of VOBUs. Each VOB is an AV data section including compressed video data and audio data. Each VOB is composed of a sequence of interleaved video packs and audio packs. Each pack includes a pack header, a packet header, and video/audio data.<sup>1</sup> However, Saeki fails to disclose or suggest object data to be recorded in the data area including at least one data unit which includes a plurality of pairs of time stamped information and transport packets, the transport packets including contents of the bitstream information, where the management area is configured to record information corresponding to the service information.

Accordingly, as Saeki '727 fails to disclose or suggest the features recited in independent Claims 17 and 19, it is respectfully submitted that Claims 17-19 patentably distinguish over Saeki '727. Applicants therefore respectfully requested those rejections be withdrawn.

Regarding the regarding to Claims 16, 18, and 19 under 35 U.S.C. § 103(a) as unpatentable over Kawakami, that rejection is respectfully traversed.

Claims 16 and 19 depend from Claims 14 and 17, respectively. As noted above, Kawakami fails to disclose or suggest the limitations recited in Claims 14 and 17. As Claim 19 recites features analogous to those recited in Claims 14 and 17, it is respectfully submitted

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<sup>1</sup> Saeki '727, col. 10, lines 12-17.

that Kawakami fails to disclose or suggest the features of Claim 19 for the reasons above set forth with regard to Claims 14 and 17, and it is respectfully requested that this rejection be withdrawn.

With regard to the rejection of Claims 14-16 under 35 U.S.C. § 103(a) as unpatentable over Saeki '727 in view of Saeki '400, that rejection is also traversed.

Claims 15 and 16 depend from Claim 14. As earlier noted, Saeki '727 fails to disclose or suggest the features recited in Claim 14. It is respectfully submitted that Saeki '400 fails to remedy the above-identified defects of Saeki '727.

Saeki '400 illustrates in Figure 7 the construction of a VOB. Saeki '400 describes the elementary streams 1-6 are material data to be multiplexed into a VOB. The elementary stream 1 is moving data compressed in accordance with MPEG 2, and it is multiplexed into each VOB on a GOP basis by interleaving. The elementary streams 2-4 are audio data, each corresponding to the moving picture data mentioned above. The elementary streams 5 and 6 are sub-picture data corresponding to the above moving data.<sup>2</sup>

However, like Saeki '727, Saeki '400 fails to disclose or suggest object data to be recorded in the data area, including at least one data unit which includes a plurality of pairs of time stamped information and transport packets, the transport packets including contents of the bitstream information, where the management information is configured to record information corresponding to the service information.

As neither Saeki '727 nor Saeki '400, either alone or in combination, discloses or suggests the features recited in Claim 14, it is respectfully submitted that Claims 14-16 patentably distinguish over the applied combination, and it is respectfully requested that this rejection be withdrawn.

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<sup>2</sup> Saeki '400, col. 11, lines 35-55.

Moreover, it is respectfully submitted that there is no basis in the teachings of either Saeki '727 or Saeki '400 to support the applied combination. Certainly, the Office Action fails to cite any specific teachings within either Saeki '727 or Saeki '400 to support the combination. It is therefore respectfully submitted that the combination of Saeki '727 and Saeki '400 is the result of hindsight reconstruction and is impermissible.

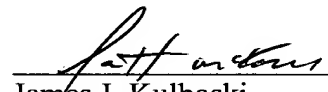
Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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